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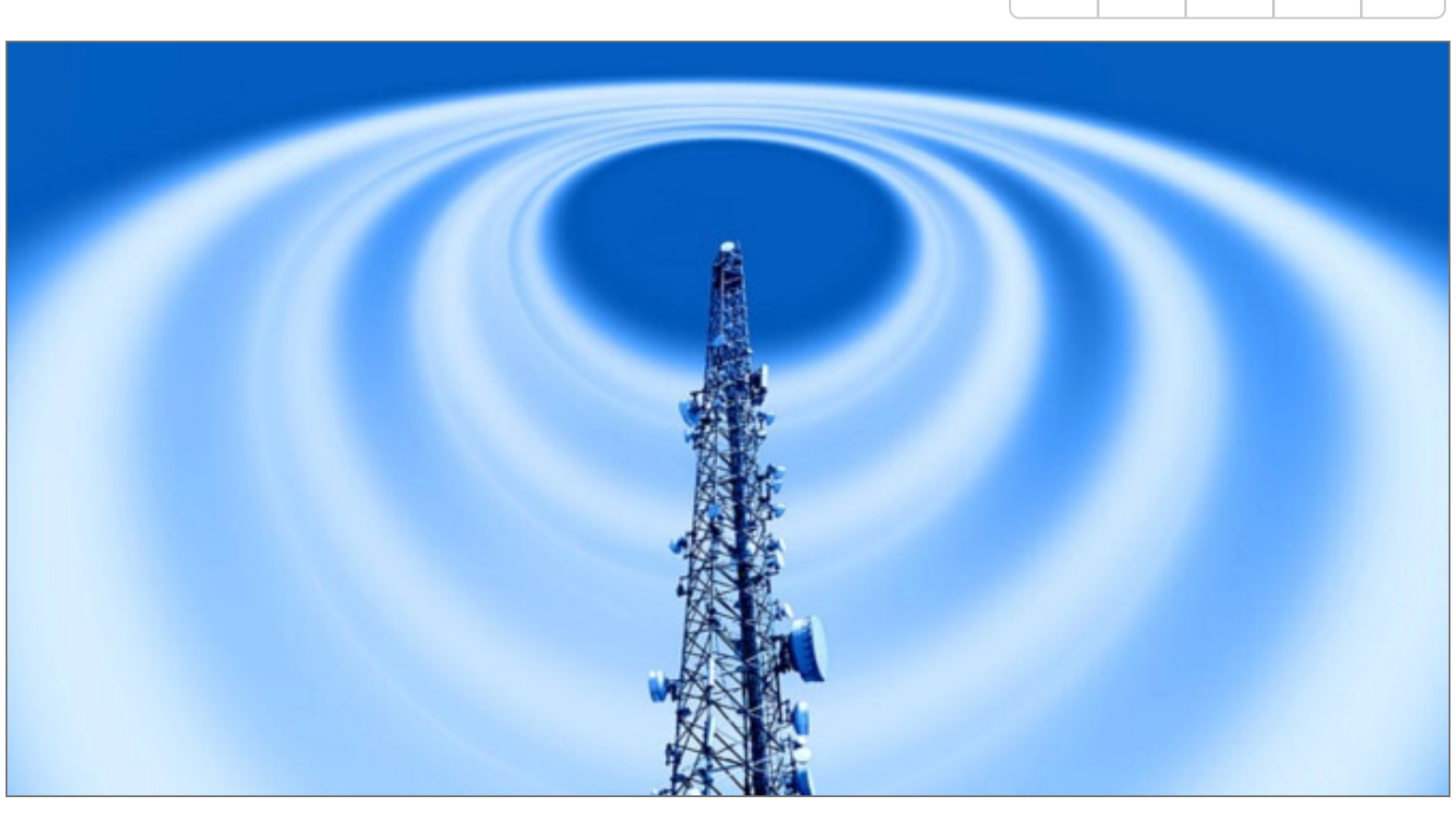
# CHD Petitions FCC to 'Quit Stalling' on Court Order to Address Harmful Effects of Wireless Radiation

*Children's Health Defense on Tuesday petitioned the Federal Communications Commission to "quit stalling" and comply with a court-ordered mandate to explain how the agency determined its current guidelines adequately protect humans and the environment against harmful effects of exposure to radiofrequency (RF) radiation.*

By **Suzanne Burdick, Ph.D.**

27



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Children's Health Defense (CHD) on Tuesday petitioned the Federal Communications Commission (FCC) to "quit stalling" and comply with a court-ordered mandate to explain how the agency determined its current guidelines adequately protect humans and the environment against harmful effects of exposure to radiofrequency (RF) radiation.

The U.S. Court of Appeals for the D.C. Circuit issued the mandate on Aug. 13, 2021, when it ruled the FCC failed to consider the non-cancer evidence of adverse health effects related to wireless technology when the agency determined its 1996 health and safety guidelines regarding wireless-based technologies adequately protected public health.

The ruling stemmed from CHD's historic win in a case challenging the FCC's decision not to review the 1996 guidelines.

The FCC has taken no action to comply with the court's ruling, prompting CHD to threaten further legal action.

Scott McCollough, lead attorney for CHD's historic case and author of the petition, said CHD submitted a petition — rather than a request — because a petition "is something to which they must respond," according to administrative law.

CHD's petition said:

> "The Commission cannot just sit on this matter any longer…Any continued non-action will violate the judgment and mandate and expose the Commission to further judicial review and, ultimately, a mandamus order requiring action."

In its 2021 decision, the court said the agency must also address the environmental impacts of RF radiation and the "impact of RF radiation on children, the health implications of long-term exposure to RF radiation, the ubiquity of wireless devices and other technological developments that have occurred since the Commission last updated its guidelines."

McCollough, a telecommunication and administrative law attorney, told The Defender:

> "The FCC needs to receive all the evidence and science regarding the biological effects of RF radiation and deal with it in good faith.
>
> "The agency must recognize that its current guidelines need to be changed to reflect reality."

**'FCC cannot responsibly ignore this science any longer'**

CHD's petition is the latest legal move in an ongoing battle stemming from the FCC's 2019 decision to not update its 1996 RF exposure guideline and to terminate a legal inquiry process of examining the scientific evidence of adverse biological effects of RF radiation.

The FCC maintained that no further inquiry into scientific evidence was necessary and that its 1996 RF exposure — or emission — guidelines were sufficient for protecting the public against harm.

"The best available scientific evidence, including our consideration of the opinions provided by expert U.S. federal health agencies, supports maintaining the existing RF exposure limits," the agency stated in November 2019.

In response, the CHD and other petitioners, including the Environmental Health Trust, sued the FCC and filed 11,000 pages of evidence of harm from 5G and wireless technology, which they alleged the FCC had ignored in rendering its 2019 decision.

The U.S. Court of Appeals in 2021 sided with CHD, calling the FCC's 2019 decision "arbitrary and capricious" because it failed to consider the non-cancer evidence regarding adverse health effects of wireless technology.

The court noted that the FCC failed to respond to approximately 200 comments on the record by people who experienced illness or injury from electromagnetic radiation sickness.

Moreover, the court said the FCC "completely failed to acknowledge, let alone respond to, comments concerning the impact of RF radiation on the environment…The record contains substantive evidence of potential environmental harms."

It has now been three years and more than three months since the FCC's 2019 decision, CHD's petition pointed out.

"During that period even more scientific evidence has been published and it provides even more proof of a harmful biological response to RF exposures at and under the FCC's emissions guidelines," the petition said.

The Environmental Health Trust "arduously" uploaded all recent scientific studies to the FCC case's docket, "so the FCC is fully aware of these developments," the petition said.

"The Commission cannot responsibly ignore this science any longer," it added.

**FCC has to 'find a better balance'**

According to the petition, the FCC must address the environmental impact of RF radiation not only to comply with the 2021 court order — but also to comply with a looming deadline issued by the Council on Environmental Equality (CEQ), the federal agency responsible for developing the implementation procedures of the National Environmental Protection Act (NEPA).

In 2020, CEQ issued a set of revisions to its Protection of the Environment rules that require the FCC to consult with CEQ on the environmental impact of RF radiation and provide an opportunity for public review and comment by Sept. 14, 2023, the petition said.

"The FCC's emission rules [about RF radiation] have always been purely about human exposure," McCollough said. "They do not address limits for exposure to birds, bees, trees, etc.,"

He added:

> "But the CEQ rules — which they have to update to match — make plain that NEPA procedures are all about [the] impact to the entire human environment, not just humans."
>
> "So in order to comply with the CEQ mandate, they [the FCC officials] have to update their emissions rules to reflect [the] impact on the human and non-human aspects of the human environment…and the science is telling us RF is harming not only people but also wildlife, trees and especially pollinators."

McCollough acknowledged that it will be a big task for the FCC to address the scientific evidence of the biological impacts of RF radiation on humans and the environment.

The FCC's job is to efficiently oversee the radio spectrum as a public resource to deliver communications — but it also has a human safety mandate, he said. The issue is, "How are they going to balance those two priorities?"

NEPA also requires the FCC to assess environmental impact, so that imperative constrains them as well, McCollough noted.

"We're not asking them [FCC officials] to turn off all the radios," McCollough said. "We're asking them to find that balance where you can still deliver reasonable communication service — but not make people sick and not destroy the environment, not kill all the pollinators."

"They've got to find a better balance," he added.

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**Suzanne Burdick, Ph.D.**

Suzanne Burdick, Ph.D., is a reporter and researcher for The Defender based in Fairfield, Iowa. She holds a Ph.D. in Communication Studies from the University of Texas at Austin (2021), and a master's degree in communication and leadership from Gonzaga University (2015). Her scholarship has been published in Health Communication. She has taught at various academic institutions in the United States and is fluent in Spanish.

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Best Newest Oldest

**EVS**
13 days ago
It appears that The FCC like all other fed agencies are assuming they no longer need to comply with anything the courts may tell them as they seem to know no-one is coming after them if they don't comply.
Especially with the current completely corrupted justice system we have in this country.
They like all the other alphabet soup agencies are apparently immune from following any laws they don't like.
As punishment We The People should force the heads of these agencies to endure the damages they are inflicting on the rest of us. Maybe THAT might persuade them to think differently ?
14 0 Reply • Share ›

**tyrannystopper**
13 days ago
Thank God someone is doing something to stop this EMF Smog.
It's not safe, and now we have to contend with 5G.. another deadly form of EMF
4 0 Reply • Share ›

**dorkyman** → tyrannystopper
12 days ago
The Zealots will lose because the science here is pretty clear and has been for over a century. As long as RF remains below the ionization level (where electrons are stripped off of atoms) then biological processes are unaffected.

But the human mind can create powerful illusions. Ears ringing? Eyes becoming astigmatic? Must be from that cell phone! Nothing you can say can convince me otherwise!
0 1 Reply • Share ›

**tyrannystopper** → dorkyman
11 days ago
you come here to convince yourself of your own beliefs lol...
i can't convince you otherwise...lol
holy cognitive dissonance
0 0 Reply • Share ›

**tyrannystopper** → dorkyman
11 days ago
science is clear lol...
yeah, so how many boosters you up to?
0 0 Reply • Share ›

**Ronald A. Cavalier** → dorkyman
11 days ago
Wrong, the RFR will still hurt living things without ionizing frequency, this is another ploy to allow the continuation of 5G and 6G+ down the road for more corporation profits.
0 0 Reply • Share ›

**jimhalfwit**
12 days ago
The FCC exists for two reasons: 1. Enforce the treaties between the USA and other countries for the use of the rf spectrum; 2. Make millions of dollars creating and selling tiny slices of the rf spectrum to the highest bidder. It comes down to the money. Your safety is in direct conflict with FCC's mission. They even sold rf spectrum to the cell phone companies right next to the aircraft radar altimeter frequencies without considering if those altimeters would be blocked out in the last few seconds before touchdown. Don't expect FCC to concern themselves with your health after the sale.
3 0 Reply • Share ›

**Memphis Steve** → jimhalfwit
12 days ago
The FCC exists for two reasons: 1. Enforce the treaties between the USA and other countries for the use of the rf spectrum; 2. Make millions of dollars creating and selling tiny slices of the rf spectrum to the highest bidder. It comes down to the money. Our safety is in direct conflict with FCC's mission. They even sold rf spectrum to the cell phone companies right next to the aircraft radar altimeter frequencies without considering if those altimeters would be blocked out in the last few seconds before touchdown. Don't expect FCC to concern themselves with our health after the sale.
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**Yelena Davidova**
13 days ago
Thank you for the work you do. Pinterest still blocks CHD for no good reason.
2 0 Reply • Share ›

**Ken Goldblum**
13 days ago
This administration is so backward in their thinking. They want to force you to get a shot, that they named "vaccine" so they could convince people to take it. Now with even proof that RF radiation can cause health issues, that they sit on their butts and do nothing. The way they handled East Palestine, the Afghanistan withdrawal, etc. Can you name me one thing this administration did right? This is not a trick question.
2 0 Reply • Share ›

**Beatrice** → Ken Goldblum
12 days ago
Something is terribly wrong Ken. I mean, what the hell is really going on in this country? I suppose it's not just America but other countries as well. It's literally like living on the planet of the body snatchers. Biden is demented and his entire administration is comprised of incompetent figure heads who lack acumen in the most basic qualities of leadership. Where is our national security? Oh, they are too busy spying on all of us. We are sitting ducks, prime real estate for any other country to invade. The Dems were concerned about how dangerous Trump was???? Please!!!
0 0 Reply • Share ›

**Ken Goldblum** → Beatrice
12 days ago
This administration prays only to greed, the CCP, and only goal is to destroy the country from within. They are using history to destroy America. What destroyed the Roman Empire, it was decadent behavior. Just what the Dems are pushing and the activist sheeple follow. Just look at the 2 elections on Tuesday. Both progressive candidates won. We are in a downward spiral and 2feel like we are on the unsinkable Titanic. The band is playing and the sheeple think everything is okay
0 0 Reply • Share ›

**Beatrice** → Ken Goldblum
12 days ago
I don't trust elections anymore. I think elections are always rigged and I believe that ' they' wanted Trump elected so that they could deploy their agenda on his watch. I think it was the same for Obama as well. They may act disappointed when they lose but I don't buy it at all. Maybe we could share one of the life boats? On second thought, where would we go? I had planned to leave the US and move to Canada but...can't go there now. Spain? Portugal?

So depressing. It takes everything I have to keep on truck'n.

The trans crap, the racist crap, the history being erased is all part of their planned trance on Americans who wouldn't know any better. I was thumbing through my old HS year books the other day and it's truly astonishing how all of us from every class, every race got along just fine despite living in one of the most racist counties in VA. I can even show you TV commercials in the 50s and 60's of black families having
see more
0 0 Reply • Share ›

**joe blow**
12 days ago
The radiation that can kill you is coming from outer space- not your pocket, your phone is nothing compared to that big bright transmitter in the sky.
1 0 Reply • Share ›

**J. Page**
12 days ago
Sorry, Cell phones cannot harm you unless thrown at you hard.
1 2 Reply • Share ›

**Redtang** → J. Page
12 days ago
Sure thing ace. I have a 5g tower a mile down the road. 2 buzzards hanging upside down dead. They took a rest on the tower and died right there. I don't think they were, "vaccinated".
0 0 Reply • Share ›

This comment was deleted.

**Beatrice** → Guest
12 days ago
You shouldn't say anymore and embarrass yourself. Birds do not conduct electricity.
1 0 Reply • Share ›

**J. Page** → Beatrice
9 days ago
SORRY
! There are no ILL EFFECTS from the 'radiation' of a wireless ANYTHING!
Learn the PHYSICS!
Prove me wrong. The 'buzzards' were undoubtedly the victims of ELECTRICITY and not 'radiation'
0 0 Reply • Share ›

**J. Page** → Beatrice
11 days ago
11.5 kilowatts at a 5G tower using 220 volts is pushing 52 amps of current.
www dot audubon dot org/news/no-5g-radio-waves-do-not-kill-birds
Buzzards have been known to pull out wires on these arrays.
0 0 Reply • Share ›

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This comment was deleted.

**J. Page** → Guest
12 days ago
Trix, did you grad in something like Sociology perhaps? LOL
0 0 Reply • Share ›

**Maria Pesquez**
12 days ago
Burdick has yet to realize that no China run operation is subject to any of our laws.
0 0 Reply • Share ›

**Maria Pesquez**
12 days ago
The China controlled Govt. is not regulated by our laws. The Author is incredibly stupid.
0 0 Reply • Share ›

**yirgach**
12 days ago
For anyone interested in understanding the science behind EMF, see http://www.emfandhealth.com/.
A library of studies and papers dealing with the effects (if any) of EMF.
Some of the comments about microwave ovens show a complete lack of knowledge and understanding of basic principles.
You might actually learn something useful.
0 0 Reply • Share ›

**Bruce Boelter**
12 days ago
If you have EVIDENCE of a danger, present it. I have seen ZERO such evidence.
0 0 Reply • Share ›

**BlanketyBlankBlank**
12 days ago
I was an RF engineer for years at on of the big phone companies. The transmitter does not put out enough decibels of power to cause any harm, let alone the receiver in your handset. The transmitter is far less than a microwave for example.

But chase whatever windmills you want. I would suggest others.
0 0 Reply • Share ›

**William James**
12 days ago
I am more worried about all the new automobiles running around with radar sensors for their automatic braking systems. Radar is the type of signal you find in your microwave, but those devices are shielded because their radiation is already known to be dangerous. After all, it cooks things when very intense.
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**Jim1937**
12 days ago
We would be better served by being protected from the Biden administration and it's disastrous policies.
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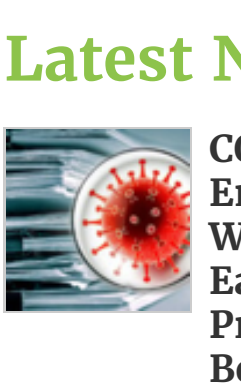

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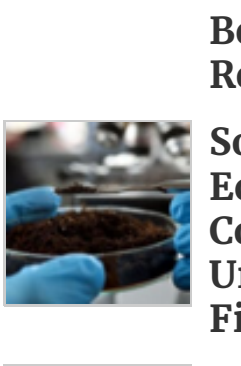

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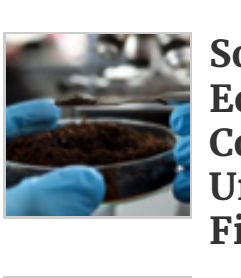

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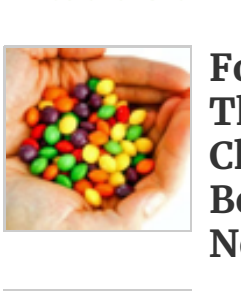

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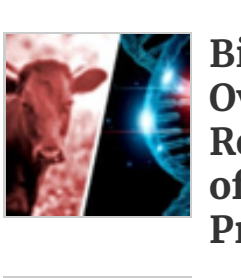

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